

## REMARKS

Claims 1 – 21 are pending and rejected.

The applicant's attorney amends claim 1, 5, 6 and 12. Claim 6 has been amended not to overcome the examiner's rejections, but to conform it to its respective independent claim. The applicant's attorney respectfully asserts that claims 1 – 21, as amended, are in condition for allowance for at least the reasons discussed below.

### **Rejection of Claims 1 – 4**

The applicant's attorney respectfully asserts that claim 1, as amended, is patentable over U.S. Patent 6,550,408 (Janssen) at least because Janssen fails to disclose a hull having multiple operating modes that includes a very-shallow-draft mode.

The applicant's claim 1, as amended, recites a hull having multiple operating modes that includes a very-shallow-draft mode.

For example, as shown in FIGS. 5A – 5D and discussed in paragraphs 7, 37 – 39, 42 and 48 of the specification, a ship 100 includes a multi-mode hull 510 that can perform in different operational modes as the ship 100 travels on the water. For example, as shown in FIG. 5A, the hull 510 can operate in a very-shallow-draft mode or logistics mode (See paragraph 7). In the logistics mode the draft of the ship 100 is very shallow, for example between 0 and 12 feet, which allows the ship 100 to be used for shallow-water tasks such as delivering a payload close to shore or close shore logistics support missions (See paragraphs 38 and 39). Other examples include a shallow-draft mode or catamaran mode, as shown in FIG. 5B, and a SWATH (Small Water-plane Area Twin Hull) mode, as shown in FIG. 5C.

In contrast, Janssen fails to disclose a hull having multiple operating modes that includes a very-shallow-draft mode. Janssen discloses a ship 100 (FIG. 1) that includes two hull portions 1 and 1' (FIGS. 1 and 2), deck portions 4, 4' and 4" (FIGS. 1 and 2) to hold shipping containers, and two propellers 2 and 2' (FIG. 1) to propel the ship 100. When the ship 100 cruises, each hull portion 1 and 1' intersects the surface of the water at the water line 20 (FIG. 2) and operates as a SWATH to maximize the ship's

seaworthiness. As a SWATH, the draft of each hull portion 1 and 1' is deep because much of the hull portions' volume that provides the ship buoyancy is located below the water line 20. When containers are to be unloaded from and loaded onto the deck portions 4, 4' and 4", the ship 100 sinks further into the water to the water line 21 (FIG. 1) to allow the decks 4, 4' and 4" and the containers held by the decks 4, 4' and 4" to float above the hull portions 1 and 1'. Then, after containers have been unloaded and loaded, the ship rises in the water to support the decks 4, 4' and 4" and containers above the water line. The hull portions 1 and 1' of the ship 100 do not operate in other operational modes where the water line is below the water line 20, and thus, the shallowest draft of each hull portion 1 and 1' occurs when each hull portion 1 and 1' operates as a SWATH. Therefore, unlike the applicants' hull 510, Janssen's hull portions 1 and 1" do not operate in a very-shallow-draft mode.

Claims 2 – 4 are patentable at least by virtue of their dependencies on claim 1, as amended.

#### **Rejection of Claims 5 – 11**

Claim 5, as amended is patentable over Janssen at least for the reasons similar to those recited above in support of claim 1, as amended, over Janssen.

Claims 6 – 11, as amended, are patentable by virtue of their dependencies from claim 5, as amended.

#### **Rejection of Claims 12 – 21**

Claim 12, as amended, is patentable over Janssen at least for reasons similar to those recited above in support of claim 1, as amended, over Janssen.

Claims 13 – 21 are patentable at least by virtue of their dependencies from claim 12, as amended.

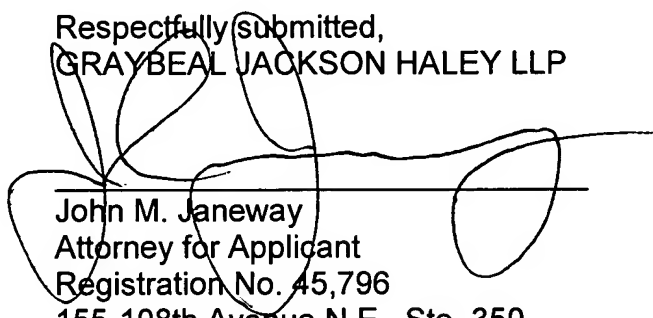
## Conclusion

The applicant's attorney respectfully requests the examiner withdraw the rejection against claims 1 – 21 and issue an allowance for these claims.

If, after considering this response, the examiner believes the claims should not be allowed, the applicants' attorney respectfully requests that before issuing an Office Action, the examiner call Mr. John Janeway (425-455- 5575) to schedule a telephone conference to further the prosecution of the claims.

DATED this 14<sup>th</sup> day of July 2006.

Respectfully submitted,  
GRAYBEAL JACKSON HALEY LLP



John M. Janeway  
Attorney for Applicant  
Registration No. 45,796  
155-108th Avenue N.E., Ste. 350  
Bellevue, WA 98004-5973  
(425) 455-5575